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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/272,075	03/18/1999	ANDREAS HENNIGER	GR-98-P-1381	5171

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 04/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/272,075

Applicant(s)

HENNIGER ET AL.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-11 are presented for examination.
2. Acknowledgement is made of a letter filed on 2/4/02, which noted that the certified copies of the priority documents Germany 198 11 841.4 is transmitted. However, the certified copies of the priority documents have not received.
3. The text of those sections of Title 35, U.S.Code not included in this office action can be found in a prior office action.
4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al (US 6,185,290 B1).
5. As to claim 1, Shaffer et al. disclose the invention substantially as claimed, including a telecommunication system having a remote administration function (col. 2, lines 29-42), comprising:
 - a telecommunications apparatus (238, 240, 242, fig. 2) defining a terminal with properties of a terminal with administration authorization (col. 14, lines 64-67; col. 15, lines 1-16; col. 27, lines 15-29); and

a remote computer (207, 248, fig. 2) connected to said telecommunications apparatus, and a data stream to and from said terminal being diverted to said remote computer (col. 17, lines 61-67; col. 18, lines 1-9; col. 27, lines 30-48).

6. Shaffer et al. do not specifically disclose terminal is a virtual terminal. However, Shaffer et al. disclose that the terminal (213, 231, fig. 2) is defined as a standard on the network that can handle diverse terminals (col. 27, lines 15-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the virtual terminal to Shaffer et al. because it would provide for any terminal to communicate with any host computer.

7. As to claim 2, Shaffer et al. further disclose that said terminal with administration authorization is a telephone (col. 27, lines 50-61).

8. As to claims 3-5, Shaffer et al. disclose said telecommunication apparatus has a virtual unit and port (col. 34, lines 64-67; col. 35, lines 8-16).

9. As to claim 6, Shaffer et al. disclose said remote computer has a message interpreter and an emulator providing an interface and functionality of said terminal with administration authorization (col. 28, lines 1-5).

10. As to claim 7, Shaffer et al. disclose said telecommunications apparatus has a

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data interface and control traffic between said virtual port and said telecommunication apparatus is diverted to said data interface (214, fig. 2; col. 29, lines 45-67; col. 30, lines 1-9; col. 34, lines 64-67; col. 35, lines 8-16).

11. As to claim 8, Shaffer et al. disclose said data interface is selected from the group consisting of a V.24 interface, an analog modem and an integrated service digital network card (col. 28, lines 6-13).

12. As to claims 9-11, Shaffer et al. further disclose said telecommunications apparatus having a call processing unit (fig. 3; col. 15, lines 17-28; col. 27, lines 30-48); said call processing unit has an application interface (col. 8, lines 26-37; col. 11, lines 2-15; col. 24, lines 31-34).

13. Applicant's arguments filed 2/4/02 have been fully considered but they are not persuasive.

14. In the remarks, applicants argued in substance that

(1) Shaffer does not disclose a remote administration of a telecommunication systems.

(2) Shaffer does not teach or suggest providing a virtual end device with the characteristics of an administrative end device, whereby a data flow to and from the

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virtual end device is diverted to a remote computer, so that an administration of the telecommunication system via the remote computer is enabled.

15. Examiner respectfully traverses applicants' remarks.

As to point (1), Shaffer discloses a remote computer (202, 248, fig. 2) has a message interpreter and emulator providing an interface and functionality of the terminal with administration authorization (col. 27, lines 50-67; col. 28, lines 1-13). Furthermore, Shaffer discloses a remote administration function so as to be able to perform the changes via a service center (col. 21, lines 10-16 and 35-41; col. 24, lines 56-62).

As to point (2), Applicant argues not found in the claims. Claimed subject matter, not the specification, is the measure of invention. Limitations in the specification cannot be read into the claims for the purpose of avoiding the prior art. In re Self, 213USPQ 1,5 (CCPA 1982); In re Priest, 199 USPQ 11,15 (CCPA 1978).

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:00-5:30 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Jungwon Chang
April 22, 2002


ZARNI MAUNG
PRIMARY EXAMINER